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7 **UNITED STATES DISTRICT COURT**
8 **WESTERN DISTRICT OF WASHINGTON**

9 **FEDERAL TRADE COMMISSION,**

10 **Plaintiff,**

11 **v.**

12 **AMAZON.COM, INC.,**

13 **Defendant.**

Case No. 2:23-cv-0932

**[PROPOSED] STIPULATED
ORDER TO TEMPORARILY
SEAL THE COMPLAINT AND
MOTION TO DESEQUESTER,
AND PERMANENTLY SEAL
REFERENCES TO NONPUBLIC
INVESTIGATIONS**

14
15 Plaintiff Federal Trade Commission (“Plaintiff” or “FTC”) and Defendant Amazon.com,
16 Inc. (“Defendant” or “Amazon”), having filed their Joint Motion for Entry of Order Resolving
17 Plaintiff’s Motion for Leave to Temporarily Seal the Complaint and the Motion to Desequester
18 and Permanently Seal References to Nonpublic Investigations (the “Motion”), and the Court
19 having considered all filings, memoranda of law, and exhibits concerning this matter, the Motion
20 is GRANTED. The Court hereby ORDERS:

21 1. The Complaint for Permanent Injunction, Civil Penalties, Monetary Relief, and
22 Other Equitable Relief (“Complaint”) (Dkt. #3), as well as its Attachments A–N and P, and the
23 Plaintiff’s Motion to Desequester Documents Clawed Back by Defendant (the “Desequester

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Federal Trade Commission
600 Pennsylvania Avenue NW
Washington, DC 20580
(202) 326-3320

1 Motion”) (Dkt. #4), as well as its Exhibit A (collectively, the “Sealed Filings”), shall be
2 temporarily sealed;

3 2. The FTC shall provide copies—by email, U.S. Mail, or FedEx—of this Order to
4 all persons or entities (hereinafter referred to as “submitters”) who provided information or
5 documents to the FTC in response to compulsory process during the investigation leading to this
6 case;

7 3. Amazon or any other submitter shall file any motion to permanently seal parts of
8 the Sealed Filings on or before July 17, 2023;

9 4. Should neither Amazon nor any other submitter file a motion to permanently seal
10 parts of the Complaint or its Attachments A–N and P on or before July 17, 2023, the Clerk of the
11 Court shall unseal the Complaint and its Attachments;

12 5. Should neither Amazon nor any other submitter file a motion to permanently seal
13 parts of the Desequester Motion on or before July 17, 2023, the FTC shall file publicly a copy of
14 the Desequester Motion and its Exhibits that redacts only references to other nonpublic FTC
15 investigations;

16 6. Should either Amazon or any other submitter file a motion to permanently seal
17 any part of a Sealed Filing, the FTC may file a public version of that Sealed Filing that redacts
18 only those parts that a submitter has moved to permanently seal and references to other
19 nonpublic FTC investigations;

20 7. The parties shall meet and confer regarding the entry of a protective order
21 governing (1) the treatment of documents, testimony, and other information provided to the FTC
22 by Amazon or any third-party submitter prior to the filing of this action, and (2) the exchange in
23

1 discovery of documents that a party deems confidential. On or before July 24, 2023, the parties
 2 shall submit a joint stipulated proposed protective order or, if the parties are unable to reach an
 3 agreement, two separate proposed protective orders accompanied by a joint submission
 4 describing each party's justification for its proposal;

5 8. Neither the FTC nor Amazon shall publicly file any information received by the
 6 FTC from a third-party submitter, including but not limited to any such information referenced in
 7 the Sealed Filings, without that submitter's consent, until the Court has entered a protective order
 8 in accordance with the procedure described in paragraph 7 above;

9 9. After the Court resolves any outstanding motions filed pursuant to paragraph 3 of
 10 this Order, the FTC may file a public version of the Sealed Filings consistent with the Court's
 11 order resolving such outstanding motions. That public version shall redact references in the
 12 Desequester Motion, and its Exhibit A, to nonpublic FTC investigations; and

13 10. The FTC's original Motion for Leave to Temporarily Seal the Complaint and
 14 Motion to Desequester, and Permanently Seal References to Nonpublic Investigations (Dkt. #2)
 15 is DENIED as moot.

16
 17 **IT IS SO ORDERED.**

18
 19 Dated this _____ day of July, 2023.

20 _____
 21 UNITED STATES DISTRICT JUDGE

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13 **pro hac vice applications forthcoming*

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